



**DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION DIVISION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155**

JUL 17 2019

Ref: 19-F-1508

Emma Best
MuckRock News
DEPT MR 76356
411A Highland Ave
Somerville, MA 02144

Dear Ms. Best:

This is an interim response to your July 16, 2019 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on the same day and assigned it case number 19-F-1508. We ask that you use this number when referring to your request.

Although we have already begun processing your request, we will not be able to respond within the FOIA's 20-day statutory time period as there are unusual circumstances which impact our ability to quickly process your request. The FOIA defines unusual circumstances as (a) the need to search for and collect records from a facility geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other agencies or DoD components having a substantial interest in either the determination or the subject matter of the records. At least one, if not more of these scenarios applies or would likely apply to your request. While this office handles FOIA requests for the Office of the Secretary of Defense (OSD), the Joint Staff (JS) and other component offices, we do not actually hold their records and our office is not geographically located with these organizations. As we do not hold the records, until the required records searches are complete, we are unable to estimate the potential volume of records or the number of consultations that will be required to make a release determination.

Before we can begin processing your request, we ask that you provide more information regarding the information you are seeking. Your request, as it is written, is too broad and not reasonably described. In recent court action, *James Madison Project (JMP) vs. CIA*, the court referred to a request as "too broad" because the term "pertaining to" is synonymous to the term "relating to," which generally indicates an overbroad request. A request for "all documents 'relating to' a subject is usually subject to criticism as overbroad since life, like law, is a 'seamless web,' and all documents 'relate' to others in some remote fashion." *Massachusetts v. U.S. Dep't of Health & Human Servs.*, 727 F. Supp. 35, 36 n.2 (D. Mass. 1989). Such a request "unfairly places the onus of non-production on the recipient of the request and not where it belongs - upon the person who drafted such a sloppy request."

Before search can continue, we ask that you provide the names of the OSD/JS components you believe would have the information you are seeking. Please help us by shedding more light on the records you are seeking. Providing the name of the specific OSD/JS component that would have the requested records will aid search and speed up processing time.

For communication records, we request that you provide specific "to" and "from" recipients, by name or job title, and subject of the communication. Please clarify what OGAs mean. If we have not heard from you by close of business August 16, 2019, we will believe that you are no longer interested and close the request.

Your request has been placed in our complex processing queue and is being worked based on the order in which the request was received. Our current administrative workload is approximately 2,968 open requests.

The OSD/JS FOIA Public Liaison, Darrell Williams, is available at 571-372-0462 or by email at OSD.FOIA-APPEAL@mail.mil to answer any concerns about the foregoing.

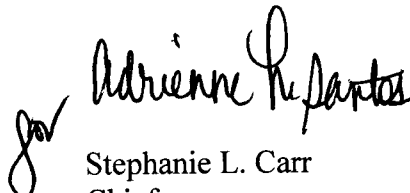
Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly to OCMO Office of the Chief Management Officer, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox# 24, Alexandria, VA 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may email your appeal to osd.foia-appeal@mail.mil. If you use email, please include the words "FOIA Appeal" in the subject of the email. Please also reference case number 19-F-1508 in any appeal correspondence.

We regret the delay in responding to your request and appreciate your patience. If you have any questions or concerns about the foregoing or about the processing of your request, please do not hesitate to contact Kris Zadrovit at kristine.l.zadrovitz.civ@mail.mil or 571-372-0465.

Sincerely,


Stephanie L. Carr
Chief

Enclosures:
As stated

WHS MC-ALEX ESD Mailbox OSD-JS FOIA Requester Service Center

From: OSD MC-ALEX OCMO Mailbox FOIA LIAISON
Sent: Tuesday, July 16, 2019 2:08 PM
To: 76356-73870409@requests.muckrock.com
Cc: WHS MC-ALEX ESD Mailbox OSD-JS FOIA Requester Service Center
Subject: RE: [Non-DoD Source] Freedom of Information Act Request: Pride Month 2017, 2018, 2019 (Department of Defense, Office of the Secretary of Defense)
Signed By: darrell.m.williams.civ@mail.mil

Ms. Best,

You have reached the FOIA Liaison office mailbox. Please submit this FOIA request to

whs.mc-alex.esd.mbx.osd-js-foia-requester-service-center@mail.mil

V/r

Darrell

Darrell M. Williams
Senior FOIA Policy Analyst
Directorate for Oversight and Compliance
Office of the Chief Management Officer
Office of the Secretary of Defense
571-372-0462

From: 76356-73870409@requests.muckrock.com <76356-73870409@requests.muckrock.com>
Sent: Tuesday, July 16, 2019 1:22 PM
To: OSD MC-ALEX OCMO Mailbox FOIA LIAISON <osd.mc-alex.ocmo.mbx.foia-liaison@mail.mil>
Subject: [Non-DoD Source] Freedom of Information Act Request: Pride Month 2017, 2018, 2019 (Department of Defense, Office of the Secretary of Defense)

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

Department of Defense, Office of the Secretary of Defense
FOIA Office
1155 Defense Pentagon
Washington, DC 20301-1155

July 16, 2019

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

Copies of records mentioning or describing Pride Month activities, events or observances in 2017, 2018 or 2019. This includes, but is not limited to:

- * directives
- * policies
- * pride flag
- * commemoration
- * publications
- * emails, memos, letters, and other communications with OGAs or the White House

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Emma Best

Filed via MuckRock.com

E-mail (Preferred): 76356-73870409@requests.muckrock.com

Upload documents directly: Caution-

https://accounts.muckrock.com/accounts/login/?url_auth_token=AABahaLguy39tNWhjbQ9VmVv-pl%3A1hnR8F%3AGgwnbRIAiv2sfN_9tcAfO23cFLs&next=https%3A%2F%2FCaution-www.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Foffice-of-the-secretary-of-defense-7%252Fpride-month-2017-2018-2019-department-of-defense-office-of-the-secretary-of-defense-76356%252F%253Femail%253DOSD.FOIALiaison%252540mail.mil

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 76356

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



